

EXHIBIT H

Welcome to Usenet.com!

Usenet.com

Free MP3



I Love Downloading Free Mp3s! Where Can I Find Them?

There aren't many places in the Internet today where you can still find a variety of high quality, free Mp3 files. There is one place, however, which you may have not heard of, but which contains a large amount of free music that you can download. It is probably the most comprehensive source of free mp3s, videos, and movies that you find online today. It is called Usenet and it is known as The Usenet Experience.

How Come It Is All Free?

Believe it or not, once you get an account with a good Usenet Service Provider, such as Usenet.com, you can download all the free mp3s and videos your heart desires. All of them! As long as your download limit allows it, of course, but with an unlimited Usenet account, you will never have to worry about reaching or exceeding your download limit. And it's all free because it is posted by people like you which do not charge anything for sharing their own music, movies, or videos with other users like you. You can also share your files by posting them to the appropriate music newsgroups where others can find and download them.

That Sounds Great! How Do I Get Started?

It is extremely easy and you can start downloading today. Just go to Usenet.com and get an account. Once you join, you will get a username and password that you can use to log on to the news servers that contain more than 100,000 distinct newsgroups. There are thousands of newsgroups that contain free mp3s, ranging from pop and rock to country and classical music. Usenet has it all waiting for you, you just have to go get it. Stop dreaming about free m3s - go and get them today!



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EXHIBIT I



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BitTorrent vs. Usenet

January 9, 2007

Thomas Mennecke

A+ A-

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Since the inception of BitTorrent, file-sharing took on an element never seen before in the annals of Internet history. Millions of individuals flocked to their closest BitTorrent client and tracker, finally handing P2P technology a decisive victory in the online copyright wars. But that victory was just one battle in a much larger conflict; and one that still is raging to this day.

Today, a core of online file-sharers is beginning to question their loyalty to BitTorrent as the entity that is currently king of the P2P world slowly transforms into an authorized distribution medium. Increasingly, an old relic of the Internet has been rapidly developing into a mainstream and streamlined solution for the needs of millions online file-sharers. This medium is known as Usenet, or the Newsgroups, and holds the potential to derail the status quo of the file-sharing community.

Download Speed â€” Decisive Usenet Advantage

Those whoâ€™ve been part of the P2P community since the beginning will agree that just about anything is faster than the networks of old. If the end user was lucky, a 56K modem would top out at almost 6 KB/sec â€” and that was blazingly fast. A favorable moment on Napster would yield a 5 megabyte song in perhaps as many minutes â€” and life was good.

Then the broadband revolution kicked into high gear â€” fueled largely by a combination of falling prices and an insatiable demand for online entertainment. Suddenly everyone was downloading at speeds of at least 80 KB/sec, while higher end Cable users were blazing at over 1 MB/sec. Suddenly, entire compilations were downloaded in a matter of minutes and movies were now a realistic possibility.

To compensate for the movie demand, P2P networks began to rapidly evolve. This demand helped fuel the creation of eDonkey2000, Overnet, Kad, and of course BitTorrent. Within a short period of time, P2P networks had successfully adapted to the ever-growing demand for bandwidth.

A relatively minor player at the time, Usenet (or the Newsgroups) was still used by a good portion of the Internet community. The reason for its usage was the advantage of unmitigated speed. While P2P networks were adapting to the surge in demand for large files, Usenet already had the capability to accommodate this need. Unlike P2P technology which depends on peers for download reliability, Usenet only relies on the speed of the news server and the end userâ€™s bandwidth.

As bandwidth price has decreased and capacity increases, many are finding the old qualities of Usenet are more relevant today than ever before. When online movies first started appearing, they were typically the size of a CD â€” between 600 and 750 megabytes. Although advances in compression technology have yielded fantastic quality for such small files, the demand for considerably larger DVD sized files (anywhere up to 9.5 gigabytes) has reinvigorated the importance of Usenet for large file distribution. BitTorrent may be fast, but itâ€™s dependent on the upload ratio of the end user and the quality of swarm. A defect in any attribute of this connection could lead to considerable delays, and a download that takes days to complete.

As stated earlier, Usenetâ€™s speed is as fast as the end userâ€™s Internet connection speed. If the individual has a high quality 10 Megabit Cable connection, thereâ€™s little in the way to stop this individual from maxing his or her connection and obtaining a massive file in less than an hour. As news breaks that HD DVDâ€™s encryption has been circumvented, and the anticipation for even more massive 30 gigabyte files builds, as it stands now Usenet is the only likely source that will be able to accommodate this imminent demand.

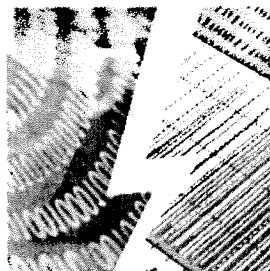
File Availability â€” Usenet Advantage

While the rest of the world debates whether DRM (Digital Rights Management) is the grandest solution or the epitome of evil, many file-sharers simply donâ€™t care one way or another. And why should they? The obvious availability of files online (formerly DRMed or not) clearly indicates for all practical purposes, DRM might as well not even exist. Thus, the question now becomes which network is the prime source for files.

This question is much easier to ask than it is to answer. Each network over time generates its own specialty: eDonkey2000 is well known for TV shows, Gnutella is favorable for a quick MP3, and BitTorrent is exceedingly well designed for large files. But where does most of this material come from?

The first movies and MP3s first appeared on Usenet before Napster ever existed. To this day, a vast majority of content from top site providers filters down to Usenet first, then trickles its way to the P2P community. This is the way online distribution works, and thereâ€™s no indication that it will change any time soon.

BitTorrent does have an advantage when it comes to creative commons or public domain content. BitTorrent, Inc. has been working extensively to create a market for this type of material, and has dedicated a significant portion of energy to carve this niche into BitTorrent.com. Many individuals crave this type of content, and



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BitTorrent definitely has an advantage over Usenet for distributing this genre of material.

In terms of overall file availability, Usenet has a clear advantage over BitTorrent. It should be noted however that Usenet content has a definite lifespan once it's uploaded. Content on Usenet is limited by the news server's retention or the amount of time a file is kept on a news server. Because of the vast size of Usenet material, most news servers generally have 30 day retention so material is limited by time. However this appears to be only a small inconvenience, as material is reposted after a certain amount of time.

Additionally, a growing amount of news servers are increasing their retention time, with some keeping content on their servers for up to 90 days. As hardware capacities increase and prices fall, retention should become less of a concern as well.

Conversely, BitTorrent is only limited by the amount of peers that are seeding a particular file. Theoretically, a file can exist indefinitely on BitTorrent, providing the seeding parties continue to exist. In this respect, BitTorrent has an advantage over Usenet.

Another aspect of file availability is the ability to provide a file on demand. As BitTorrent relies on the availability of peers, many find that a file will take considerably longer to obtain than Usenet. The exception to this is generally revolves around more popular files, as the increased number of peers will lead to a much faster download. However as this aspect of Usenet is only limited by retention, most desired files can be obtained on demand and with little delay.

Population - Decisive BitTorrent Advantage

It's rather clear that no one knows the specific population of the file-sharing community. Such a venture was much easier before the days of end-to-end encryption, decentralization, and other techniques used to disguise P2P traffic. Although the official position of BitTorrent, Inc. is against end-to-end encryption, most relevant BitTorrent clients use this technology with generally favorable results. Usenet providers such as Giganews also provide end-to-end encryption as well.

This leads to a quandary when trying to evaluate the file-sharing population. According to BigChampagne's studies, it's generally agreed that the P2P population excluding BitTorrent is approximately 9.5 million individuals at any given moment. By gauging the size of the DHT (Distributed Hash Table) network overlay that coexists with BitTorrent, it's generally calculated that BitTorrent has approximately 3-5 million individuals online. It should be noted this is a conservative measurement, as a measure of the DHT network overlay doesn't include every client and is not indicative of the entire community.

While gauging BitTorrent presents its own set of problems, Usenet is even more difficult to calculate. However it's clear that Usenet is a growing aspect of the file-sharing landscape, as evidenced by the popularity of indexing sites such as Newzbin and the growing discussion of such distribution within file-sharing forums. To give some insight into Usenet's population, UsenetServer.com calculates approximately 40,000 unique individuals are connected to their servers at any given moment. This number represents just one server among a sea of many.

Technology - BitTorrent Advantage

There are two categories Slyck is using for this article - Decisive Advantage and simply Advantage. If this article was written three years ago, the subtopic for this portion would probably read Decisive BitTorrent Advantage. However times have changed and Usenet is not longer the sleepy technological backwater it once was.

This is not to detract from the astounding technological breakthrough that BitTorrent represents. It is a highly efficient and well-engineered piece of technology that exceeds in the efficient transfer of large files. Let's examine this concept a bit further.

In this example, we will assume an individual has created a piece of musical work and several music videos. The cost of hosting these files on a dedicated server is rather expensive as the total compilation exceeds 1 gigabyte. The expense is rather variable, however even text-based website administrators know that hosting a high traffic site can cost many hundreds of dollars per month for a quality connection. Couple a high traffic site with the large bandwidth consumption of music files and videos, and the price may be simply too much for the amateur musician to cope with.

There is a solution, and BitTorrent provides the answer. Instead of taking on the bandwidth responsibility by him or herself, the amateur musician can instead easily set up a tracker or upload a torrent file to any one of the many tracking sites available. Initially, the musician will have some bandwidth responsibility in terms of seeding the file onto the network. However this responsibility should wane once the file is spread into the wild and others take on such responsibilities. The musician only has to provide a miniscule torrent file which only contains the metadata necessary for the end user to obtain the desired file.

In this respect, BitTorrent provides a superior technology for the end user to distribute information online. Usenet could theoretically be used as well, however this may not be practical as BitTorrent is better known, and as written below, easier to use.

Simplicity - BitTorrent Advantage

In the last section we discussed how Usenet was no longer the technological backwater it once was. As the popularity of Usenet has increased, so has its rate of development.

Back in the day, Usenet was used for the sole purpose of discussion. Much like community forums, people would gather under different topics and discuss anything from computers, autos, home improvement, and so on. Usenet was not designed to distribute large files; however a loophole was soon discovered and exploited.

This loophole is encoding files as text â€” thereby defeating the text-only attribute of Usenet. Most news servers limit the size of file segments as well - generally anything over 10,000 lines of text cannot be uploaded. This problem was resolved by breaking a large, say 600 megabyte file, into smaller 20 megabyte files (known as archives.)

However there was the potential for major problems, as file segments would either sometimes not make it to the news server or were perhaps corrupted. Either way, the result rendered the entire archive useless. This was resolved by the creation of PAR files. Par files accompany the uploaded archive, and act to repair any files damaged or missing. They have been heralded as one of Godâ€™s gifts to the Newsgroups and have largely resolved the problem of corrupt or otherwise compromised files.

Another more recent stride in Usenet technology is the concept of indexing sites. An idea borrowed from P2P, indexing sites provide a streamlined avenue to the desired file. With the inception of indexing sites, the end user no longer had to sift through endless newsgroups trying to find the desired file â€” a process that could take hours. Like P2P, itâ€™s a simple matter of searching or browsing for the desired file. This concept is facilitated by the use of NZB files, a Usenet technological achievement in its own right. Although radically different, the concept is analogous to torrent files or eDonkey2000 hash links. The NZB file contains all the pertinent information necessary for the client to find and download the required file â€” all without spending considerable time navigating the network.

While Usenet has made technological strides recently, BitTorrent is still an easier protocol to navigate. Much like P2P networks of old, all that is required for the BitTorrent user is to point, click, and watch the desired file trickle in.

Currently, itâ€™s not that easy with Usenet. Although the searching and downloading portion may be very similar, thereâ€™s still one more step that needs to be completed. As news servers limit the size of the file segments, the downloaded archive can contain many dozens of files â€” typically in the RAR format. Once the archive is downloaded, the end user must then reassemble the archive. What may seem like a minor inconvenience to Internet veterans is a surprisingly insurmountable task for a decent portion of netizens, and perhaps is the last stumbling block to widespread Usenet adoption.

Usenet clients have become almost as simple as P2P clients; however BitTorrent still has a clear lead in terms of simplicity. It appeals readily to mainstream users and is more easily embraced by the general public.

Privacy â€” Decisive Usenet Advantage

A major concern for many file-sharers is security. With the IFPI (International Federation of the Phonographic Industry) promising to conduct 1,000 copyright enforcement actions per month, and the RIAA (Recording Industry Association of America) having already sued almost 20,000 individuals, retaining oneâ€™s privacy is an understandable concern.

To understand how people become a copyright enforcement statistic is to understand why Usenet has the undisputed advantage over BitTorrent â€” or any other P2P network. Virtually every instance an individual has been sued has been the result of sharing material online - otherwise known as uploading. BitTorrent depends on uploading for its very survival, Usenet does not.

Unlike P2P networking, Usenet does not encourage or otherwise recommend that its userbase upload any material. There are established responsibilities within the Usenet hierarchy â€” those who provide and those who download. This is the way Usenet has functioned since for itâ€™s nearly 30 year history, and shows no signs of deterioration. For now, as no one has been sued for merely downloading material, Usenet is far and away the most secure way to obtain information online.

It should also be noted that most Usenet clients and servers support end-to-end encryption, which adds an additional layer of security.

Price â€” Decisive BitTorrent Advantage

Usenet access can be a bit pricey for those on a shoe-string budget. News server access can run anywhere from \$15.00 a month to more than \$30.00 depending on the type of service. Additionally, an indexing service such as Newzbin.com generally runs about \$2.00 for about 6 weeks of service. After all is said, the average Usenet citizen is likely spending around \$20.00 per month for service.

For now, BitTorrent is absolutely free. There is no price tag attached to the clients, the trackers, the indexers or any other legitimate resource. As a free service, BitTorrent has a clear advantage over Usenet for those unable or unwilling to spend money. This typically appeals to teenagers, college students and recent graduates who have yet to accumulate disposable income.

Conclusion â€” Decisive Usenet Victory

Throughout the modern history of P2P, many networks have come and gone. Some networks achieve stunning success, like Napster, FastTrack, WinMX, AudioGalaxy, eDonkey2000, and BitTorrent. Thereâ€™s an old saying that no empire lasts forever, and neither does the holder of the P2P crown. As Usenet continues to evolve and its clear advantages delineate themselves to the mainstream public, itâ€™s very possible that in the near future, file-sharing may end up where it all beganâ€”with Usenet.

454

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This story is filed in these Slyck News categories

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BitTorrent :: BitTorrent Community

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EXHIBIT J

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Message from discussion [Binary newsgroups, and file sharing applications...](#)

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"Tim Smith" <reply_in_gr...@mouse-potato.com> wrote in message
news:LOQQc.10973\$9Y6.7048@newsread1.news.pas.earthlink.net...

> On 2004-08-05, Technobarbarian <randomcanyon-ztopz...@hotmail.com> wrote:
>> There are several things wrong with your analysis: For the most part
>> nobody "runs" newsgroups.

> Sorry, I phrased that badly. I mean those who run news servers that carry
> binary groups.

Those people seem to be doing quite well with the current situation. There seems to be quite a few business anxious to sell news service. Competition is pushing retention up and prices down.

>> Who cares if it "wastes resources"? It works and the cost is
>> insignificant.

> The cost is not insignificant. Although bandwidth costs over the last few
> years have come way down, a full newsfeed still costs a lot, and a lot of
> that cost is from binary groups.

I get a full news feed with my internet service. Retention seems to be something under 48 hours for binary groups. They limit my bandwidth, but the thing is more or less free and I'm getting everything I can handle. At most my service costs me a few dollars a month out of the \$40/month I pay for broadband service. Storage costs me a lot more than the usenet downloads themselves and this is in a day and age when storage is running under \$1/gigabyte. People who want it can buy better service at very nominal prices. (And because people are paying the cost of their own service you don't see people whining about "leeches".) I don't see the problem.

> Usenet is based on a flood-fill distribution model, which just isn't very
> good when it comes to large files that most people aren't interested in.

>> What's your alternative for sharing copyrighted material? Eventually
>> someone will have a good answer for that question and people will move
>> there. Until then newsgroups are likely to be the answer.

> FTP. HTTP. Various P2P systems. These all work much better for large
> binaries than usenet. The best way to distribute a large binary if you
> have
> access to reasonable bandwidth would be to put it on a web server, and
> post
> the URL to usenet. Or use BitTorrent and post a link to the tracker.

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LOL, I'm going to post copyrighted material on a website and you think my cost of bandwidth would be less than usenet? Even if it was slightly cheaper than newsgroups the legal fees would quickly eat up any savings. And on newsgroups the person downloading the file pays their own costs. Why would I want to pay the cost of other people's downloads?

Usenet has several other advantages over P2P. Even with my provider's bandwidth throttle I get fairly quick and reliable downloads. Corrupt and infected files are very rare. I don't have to know what I'm looking for in advance, but can shop around looking at what's available. I don't have to worry about problems caused by competing clients.

> Now, you might point out that doing this might expose you to liability if
> it is material you have no right to share, but that's not a legal problem,
> not a technical problem. FTP, HTTP, etc. are technically much better than
> usenet for binaries. If someone is using usenet because they are afraid
> they will get caught if they use their webserver, that doesn't make usenet
> *good* at handling binaries.

How "good" does it need to be? So ok, other methods are more efficient, by some but not all measurements, if I gain some advantages and the cost is minimal what do I care?

And the technical issues are minor in comparison to the legal issues. At last count 3,500+ people have been the subject of RIAA lawsuits. It may not be elegant, but it works, I can download all day long without worrying about the RIAA and as long as I don't get caught uploading copyrighted material my server ain't gonna disconnect me because they're the ones providing the service. If you've got a better practical answer I'd love to see it.

TB

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EXHIBIT K

Welcome to Usenet.com!

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Free Music



Everyone Loves Free Music These Days But Where Can You Get the Most of It?

Clearly, today Usenet is the best place for free music in the form of mp3s and avi files. It is the most comprehensive and most diverse resource for free music files in today's music world. All the true music maniacs know this place and frequent it on a daily basis to see what kind of new files have been posted by millions of other users around the world. If you're looking to download free music or if you are looking for the best information on music on the Internet today, Usenet is clearly the best choice for these needs of yours.

What Kind of Music Genres Do the Usenet Newsgroups cover?

It is a safe bet to say that Usenet covers them all. From very popular music genres such as rap, pop, or rock, to some very obscure, alternative styles and genres, Usenet has all the free music you ever wanted. Don't be afraid to check out the hundreds of music newsgroups hosted in Usenet today and get the free music and the free music information you deserve. A good provider of Usenet free music is Usenet.com. They provide access to the best and widest selection of free music these days. Usenet is truly an unparalleled source of free music downloads that cannot be compared to file sharing programs and websites, such as KaZaa or AudioGalaxy. Usenet beats them all by far, judging by the amount of free music downloads it contains and the variety that you can expect. So, when looking for free music, you know where to go. Usenet.com is our favorite Usenet music provider so be sure to give them a try. Don't have the software you need to download free music? No problem, they provide it to all their members for free so you can literally start today without paying for anything but your Usenet access.



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EXHIBIT L

Welcome to Usenet.com!

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Usenet Censorship



Are you like the thousands of people on the Internet today who are concerned about privacy and frustrated by censorship? So was I and then I discovered Usenet. Usenet is a public domain network that is totally and completely unregulated by the government or any other agency. I am sure you have heard about the dozens of teens that have been sued recently for downloading or posting music files to one of the popular file sharing services such as KaZaa or LimeWire. The problem with such services is that they log your Internet activity and some even install hidden spyware on your computer and then sell your private information to the highest bidder. I, for one find this totally unacceptable. With Usenet you need have no such worries. You don't even have to install special software to access Usenet. In many cases, all you need is a web browser or a simple newsreader that is pre-installed on all Windows PCs. There are several Usenet providers, such as Usenet.com that offer total user privacy by turning off all logging options on their servers.

I love Usenet because of the privacy that it offers me but I also value the fact that it offers unrestricted access. Because it is an unregulated service, you do not have any net nanny webmaster determining what you can and cannot post or download. As long as what you are posting or downloading is legal in your area, you have nothing to worry about. With the exception of moderated newsgroups, any articles that you post are immediately uploaded to Usenet where they can be viewed in their unaltered format by millions of other users within a matter of minutes. When you download, what files you choose are 100% private. Privacy and freedom are the two fundamental elements that keep Usenet going strong and growing exponentially year after year.



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EXHIBIT M

Welcome to Usenet.com! Are you new to Usenet?



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Frequently Asked Questions about Usenet and Newsgroups



GENERAL NON-MEMBER QUESTIONS

What kind of services do you provide? Usenet.com is a top North American Usenet service provider, which offers high quality Usenet access at discount prices to customers from all over the world. You do not need to reside in North America to become a member of Usenet.com. To use our service, you need to have Internet access from an Internet Service Provider (ISP) of your choice. Whether you have Dial-up, Cable, DSL, MSN TV, or AOL, you can browse all the newsgroups you want with us. We do not provide actual Internet access to customers, however. What we do provide is access to more than 120,000 Usenet newsgroups to individual customers.

What kind of plans and sign up options do you have? We recently updated our plan and pricing structure to reflect the changing demands of our customers. We have a variety of monthly plans that can fit anyone's needs and budget. In addition to that, once you join, you can add additional bandwidth at any time by simply clicking one button. You don't have to wait till your new billing cycle starts to continue downloading. If you run out of bandwidth but want to keep going, you can. Go to the [sign up](#) page to check out our competitive rates and flexible plans and select an account that's right for you.

What kind of payment options are available? We have a variety of payment options to fit everyone's needs. If you wish to pay via credit card or online check, you can use our billing agent USAePay. Payment by online check requires a valid checking or savings account.

The third available method is Money Order payment, where you mail us your payment in the form of a money order or cashier's check and we activate your account. This method is perfect for international subscribers. A Usenet account must be purchased for a three or a six-month period when paying by money order. Personal checks are not accepted.

What are your download limits? A table with our current download limits and sign up options is available [here](#). We reserve the right to update and modify these settings at any time. We offer no guarantee (written or implied) that these limits will remain permanent. Purchasing a yearly account does not "grandfather" you into any particular set of download limits, or other settings.

Where are your servers located and what are the server addresses? We have two server farms in the USA and one in Europe. They have been strategically placed in those locations for maximum user speed and convenience. All you need to know, however, are two convenient server access gateway addresses to connect to our servers:

News.Usenet.com and **Euro.Usenet.com**. No need to remember the names of 20 different servers, you can now connect to all of them and get all the content via these two simple access points. In the Member's Area of our website we provide our members with real-time download numbers so they can keep track of their bandwidth at any time.

Do you limit download speed? No, we allow you to connect at whatever speed you are capable of. Your speed will be determined by such things as Internet traffic, your Internet

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MEMBERS LOGIN

Username

Password

[Forgot Your Password?](#)

SUPPORT HOURS

Monday - Friday

8am - 7pm CST

Saturday & Sunday

9am - 3pm CST

Phone:

701-297-0131

connection speed, and your route to our servers.

How long do messages stay on your servers? Retention is not a constant variable. We are constantly increasing our retention rates and staying ahead of the competition.

Can I use a newsreader to access your newsgroups? Certainly. Newsreaders offer more features for downloading binary files than our Web Gateway does. The Web Gateway is more geared towards text-based newsgroups. We have detailed instructions on using the Web Gateway.

Of course, you can decode smaller binary files (such as pictures) on our website, but when it comes to larger files (videos, free software, or free games) newsreaders make the task go much faster. In addition, Usenet.com offers a free newsreader to our members. Click [here](#) to learn more about News Rover. You may also visit News Rover's official website. To download your free custom copy of News Rover, log into the Member's Area and click on the "Software" link.

Do I have to use a newsreader to access your newsgroups? No, you can log into our servers through the Web Gateway. We allow our members to use a newsreader or our convenient Web Gateway to make it easier to connect from different locations.

Can I use my web browser to browse Usenet? Absolutely! Our Web Gateway can be accessed through the Member's Area or directly from the web. The Web Gateway is great for browsing, reading and posting in text groups but if you wish to download binaries, a newsreader is the way to go. The Web Gateway, however, is recommended for beginning users and MSN TV users. For instructions on using the Web Gateway, click [here](#). Don't want to invest in a newsreader? No problem, try our free customized News Rover which can be downloaded from the Member's Area once you join Usenet.com. News Rover is a great, fully-functional, easy to use application and we provide extensive instructions on how to use it to browse Usenet and download files.

How do I purchase Secure-Tunnel's encryption package through Usenet.com? Existing Usenet.com members can sign up for a regular-priced package at Secure-Tunnel's website.

MEMBER ACCOUNT QUESTIONS

Why the switch to monthly plans? Our new monthly plans provide you with the flexibility you want at prices you will like. We switched to monthly plans for our customer's convenience as they are easier to understand, use, and keep track of. We understand that some of our customers are used to the old daily limit plans and for that reason our existing customers can remain on the daily plans until it's time to renew their account. Daily plan account holders will be able to renew their accounts under one of the new plans only as the old plans will no longer be available. Members can log into the Member's Area of our website to find out more about the new plans and see how you can save money by signing up for one of the new monthly plans. We will also be sending out email communications with more details about the new plans and how existing members can go about getting on one of the monthly plans.

What kind of features do the new plans have? Usenet.com's new monthly plans are packed with exciting new features that we can't wait to have you try and benefit from. We've updated our Member's Area and added many new settings to help you track your downloading, account status, add bandwidth, learn about special offers you may be eligible for, and much more. Once you get a monthly membership, you will have access to all that!

Some of the advantages you will get when you get a monthly membership:

- ability to add as much bandwidth as you wish to your account at any time, 24x7 -

no more running out!

- access to detailed real-time bandwidth usage stats in our **Member's Area**
- no need to connect to 18 different servers - you can now enter Usenet via two simple server access gateways: **News.Usenet.com** and **Euro.Usenet.com**
- same great Usenet content but less hassle getting it, saving you time and bandwidth

These great features are not available with the daily limit plans so the sooner you make the switch, the sooner you will be able to take advantage of them.

Where can I see my download limit? Your download limit is the same as the plan you purchased. For example, if you purchased a 20GB monthly plan that means you have 20 gigabytes of available bandwidth that you can use to download the desired content from our news servers in one month from your sign up date. You can see your available download limit at any time when you log into the Member's Area of our website and click on "Server Information."

How can I check my balance to see how much I've downloaded for the month and how much I have left? Checking your balance is a piece of cake once you go to the Member's Area. The "Downloads" number in the control panel on the right of the page will show you everything you need to know about your account. "Downloads" includes the amount downloaded from both USA and Europe combined. Please submit a support request if you have any questions about your balance or account.

I have a monthly plan but I've run out of bandwidth. How can I add bandwidth to my account? Adding bandwidth to your account is extremely easy. Just log into the Member's Area and click on the "Add Bandwidth" button on the right. You will then need to select how much bandwidth you want to add and you'll be good to go.

Does adding bandwidth take effect immediately? Yes! No more waiting around. You can start downloading from Usenet as soon as a minute after you've added the additional bandwidth to your account. We've made it possible for you to seamlessly continue downloading, as if you never ran out.

How do I find out if I'm eligible for any special offers or promotions? Good question! You can do this by logging into the Member's Area and clicking on the "Messages Available" button within the control panel on the right. All special promotions, offers, loyalty rewards, or bonuses will be announced to you this way to avoid excessive email communication. You can check your messages at any time. The button will flash if you do have new messages that you have not read yet.

When would my account be renewed? Monthly accounts are automatically renewed at the end of your billing cycle, until you cancel. A billing cycle is not the same as a calendar month. Your billing cycle is one month long but it starts on the date you signed up and ends thirty days after that. You currently cannot renew your account earlier but can always add extra bandwidth if you've run out for the month.

How do I upgrade my account? Not getting enough bandwidth every month? If you often run out of bandwidth before the end of your billing cycle, it is probably a good idea to upgrade your account so you can have a bigger download limit. You can upgrade your account at any time by submitting a support request or by calling our customer service staff at 701-297-0131. Just let us know what account level you want to be at and we will provide you with instructions on upgrading your account. The plan change will take effect starting in your next billing period. Unfortunately, there is no easier way to automatically do this right now.

How do I change my account information such as password or email address? Both your password and your email address can be updated if you log into the Member's Area and visit the account administration page in the Member's Area. If you want to

change other details of your account such as your username or your level of membership, please submit a [support request](#).

How do I change my billing information? Our billing agents are currently unable to update billing information. If you wish to update this information, you are required to cancel your account with us and sign up again. Sorry for any inconveniences.

How do I cancel my account? To cancel your account sign into the Member's Area using your username and your password, then go to the [contact us](#) link and select [cancel your account here](#) link. Please fill out the cancellation form and submit it. You will receive an email with a confirmation number from us. If you are being billed through the third party billing company CCBill please note that you also need to cancel your account with CCBill. After submitting your Usenet.com cancelation form for your service, you will be brought to the CCBill Site to cancel your recurring billing. Please note that no refunds will be made and further billing will be discontinued starting with the next billing period.

MEMBER SERVICE QUESTIONS

What are the addresses of your news servers? Usenet.com members can connect to our news servers using two convenient server access gateways. The first gateway provide you with access to our US server farms that host all newsgroup content, **News.Usenet.com**. Our second gateway provides access to our Europe servers, **Euro.Usenet.com**. You need to enter these server addresses in your newsreader of choice. If you are using the free News Rover we provide, you do not need to do that because they have been pre-entered into the downloadable version for you. When using the Web Gateway to connect to the servers, all you need to do is log into the Member's Area and go to "Server Information." You will then see two links to the two access gateways that you can connect to by clicking on the "Log In" link. Or you may directly access the gateway [here](#).

How can I open more than one stream or connection? Some of the more popular newsreaders such as News Bin Pro and News Rover allow you to have more than one simultaneous connection. This will speed up your downloads by having more than one download going at a time. Some newsreaders will not allow you to open more than one stream. Outlook Express and Agent are two that allow only one stream at a time.

How do I get my free customized copy of News Rover? All you need to do is log into the Member's Area of Usenet.com, using your username and password and go to the "Software" link. You can download your free pre-configured News Rover right from that page. It only takes a few minutes to download and install News Rover and start downloading from the newsgroups.

Where can I get instructions on how to download from your servers with a newsreader? We provide help movies on how to set up several recommended newsreader applications in the Member's Area, under "Software." If you want to use News Rover, you don't need to set anything up. You can just start downloading right after installing it because our servers have been pre-configured for you. We also provide instructions on how to download from Usenet, using News Rover on the "Software" page. That page is your one-stop for all instructions on how to get a newsreader and download binaries in Usenet. If there is anything you don't understand or need help, please do not hesitate to contact our friendly support staff who can assist you with all sorts of problems, from account questions to technical issues related to our servers, downloading binaries, using a particular newsreader, etc. They are very well-trained and knowledgeable so we encourage you to use them anytime you can't figure something out on your own.

I want to use the Web Gateway to browse Usenet and download small binary

files. Where do I get instructions on using it?

We have an overview of the easy-to-use Web Gateway and instructions on using our service with it [here](#). If you have any questions regarding the gateway after reviewing the instructions, please contact our support specialists. For instant access to the Web Gateway, [click here](#).

Does downloading headers use up my bandwidth? No, it does not. We do not think you should have to pay for headers so we provide them to our members for free. There is no limit to how many headers you can download from Usenet.

Why are some parts of a multi-part post not showing up? The most common reason for missing binary posts is because they get filtered out before they reach us. We have multiple feeds from around the world, so we usually get a pretty complete feed. Some binary posts get canceled as spam or get canceled because they are too large to propagate through other servers. We do not guarantee the completeness of binary posts on our servers; however you should find that we have excellent completion.

How do I add an existing newsgroup to your servers? Submit a support request, including the name of the newsgroup you want added and your username. We will add newsgroups for our members only. We usually handle these requests within 24 hours of your request.

How can I create a new newsgroup? We can add any newsgroup to the alt.* hierarchy. If you want a new newsgroup created, just send us the name of the new newsgroup and your username. Any new newsgroup outside of the alt.* hierarchy needs to go through the Big-8 Management Board. For more information, please visit <http://www.big-8.org>.

How do I report abuse? You may report newsgroup and Usenet abuse issues to abuse@usenet.com. Please include the name of the group and the article ID when reporting abuse. We will do our best to remove the offending posts as soon as possible.

Have any other questions that were not answered on this page?

Non-members: Please submit a pre-sale inquiry [here](#).

Members: Please submit a support request or call technical support at 701-297-0131.

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EXHIBIT N

Welcome to Usenet.com!

USENET.com

usenet.com

Newsgroup Retention



What is newsgroup retention? Simply put, retention is the act of retaining articles on news servers. At Usenet.com retention is one of the reasons why Usenet is doing so well is because they have such a high retention rate for their newsgroups. And what helps them with the high retention is that Usenet.com has dedicated servers for particular newsgroups like having an Mp3 server that is just for mp3s, an Images server that is just for pictures, and a Multimedia server that contains just movies. There are a few others but those listed above are just a few examples. Now you'll see the same newsgroup on another server but the articles won't go as far back as if you were on the dedicated server. For example if you were in a 1990 mp3 newsgroup on a full feed server like Cache, the articles may only be a few thousand. But if you jumped over to Mp3-east or Mp3-west, you'll see several hundred thousand articles in that same newsgroup. It is important to point out that retention will vary from newsgroup to newsgroup. It depends mainly on popularity of the newsgroup - very popular groups have really high retention that could go up to 30 days back. If the popularity is low, it may just be a few days. But across the board, the normal retention time is six to ten days before the articles are removed for new articles to take their place.



**Follow me to Usenet.com,
the best Usenet service available!**

Please Note:

Usenet.com does not control the newsgroups on Usenet. We do not create the newsgroup or newsgroups on Usenet. Each newsgroup that is created is the sole responsibility of the person who created it. We do not control what people post to usenet. Our servers are classified as a "transitory network." A newsgroup name in and of itself does not mean that what is posted to that group corresponds to the name of the newsgroup.

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**Why Wait!
Click Here
To Join**

USENET.com

**150 Days
Retention**

**East and West
Coast High
Speed Servers**

**Over 125,000
Newsgroups**

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EXHIBIT O

Welcome to Usenet.com - The #1 Usenet Newsgroups Service Provider on the Internet!

USEnet.com

Join us today - we have the perfect monthly download plan for you!



Choose a plan and pay with your credit card (other payment options below)



Summer Pricing
ends 8/31/07

As a member, you get a **FREE** custom **News Rover** and **FREE** access to our **Web Gateway**

Pricing & Plans

MONTHLY PLANS Our new monthly plans are tailored to your needs with a variety of levels: 2 gigabytes, 10 gigabytes, 20 gigabytes, and an Unlimited account.

DOWNLOAD LEVELS The base download levels give you a base limit for downloading each month - and these limits renew every 30 days! Purchase an Unlimited account and you'll you get a never-ending stream of downloads that you can use across all 120,000+ groups!

NEED MORE? You can always add more bandwidth to your account from the Member's Area! You can increase your limit for the current month with a few clicks of the mouse! Our account tools located in the Member's Area make it easy to track how much you've downloaded and when it's time to get more bandwidth!

You can **TRUST** that with **Usenet.com** you are **SAFE & PROTECTED!**



Select Your 10 Connection Monthly Plan

**Sign Up For 2GB @ \$4.95
Instant Access!**

**Sign Up For 10GB @ \$7.95
Instant Access!**

**Sign Up For 20GB @ \$11.95
Instant Access!**

**Unlimited @ \$18.95
Instant Access!**

Choose the billing agent you want to use:

☒ USAepay (default option)

All members can get additional bandwidth from the Member's Area at any time.
Not sure what fits you best? We can help you choose the plan that suits you most.

Other Payment Options:

- > Would you rather pay using online check?
- > Click [here](#) if you want to mail in your payment.
- > International users can use another payment option.

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EXHIBIT P

Welcome to Usenet.com! Are you new to usenet?



usenet.com

Privacy



Usenet.com Privacy Policy

This Privacy Policy is designed to inform you how Usenet.com, Inc. ("we", "our" or "us") collects, uses and safeguards information you provide in connection with your use of the Usenet.com service, including without limitation this website (the "Service"). Your use of the Service constitutes your consent to the collection and use of your information as described in this Privacy Policy. **If you do not accept the terms of this Privacy Policy, do not use the Service.**

Due to changes to the Service, changes in the law, and the changing nature of technology, our information gathering and sharing practices may change from time to time, and we reserve the right to modify this Privacy Policy, in whole or in part, at any time without notice to you. We encourage you to review this Privacy Policy regularly in your use of the Service to ensure you are aware of our current practices. Any use of the Service by you following the date on which we implement changes to this Privacy Policy shall constitute your acceptance of all such changes.

What information do we collect?

Visitors to this website have the option of becoming a subscriber to the Service by completing and submitting an online registration form. To complete a registration form, you will be required to select a user name and password, and to provide certain personally identifiable information, including without limitation your name, address, telephone number, e-mail address, credit card number and other relevant information (all such information, "User Information"). Submitting a registration form is strictly voluntary but is required in order for you to subscribe to the Service. When you submit this information, you are sharing this information with us and our affiliates. You acknowledge that we may utilize, your billing information may be collected on our behalf by, third parties in connection with the processing of your account fees.

We may give you the opportunity to participate in sweepstakes or contests from time to time. Information we collect in connection with these sweepstakes and contests may include contact information and survey questions. Contact information provided in connection with a sweepstakes or contest may be used to notify winners, and we may use survey information to develop future promotions, service improvements, and/or new services.

We maintain a log of posts to newsgroups through the Service by each Service user. Also, we may from time to time maintain a log of certain information concerning the network profile of Service users, including without limitation users' IP addresses (a computer's numerical Internet address) and the type of web browsers used to access the Service, in anonymous, "aggregate" form (in other words, we do not associate this information with a specific subscriber, and you remain anonymous).

We do not process financial information. We do, however, use separate billing agents, USAepay and CCBill; please review their respective privacy policies for more information.

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MEMBERS LOGIN

Username

Password

Submit

Forget your Password?

Except as described in this Privacy Policy, we do not collect any personally identifiable information through the Service without your knowledge and consent.

How do we use information we collect?

We do not share your User Information with other companies (except with companies providing any portion of the Service on our behalf and then only as necessary for those companies to provide their services). We may use your information to answer a customer service or billing question or other inquiry from you regarding the Service or your account subscription, and for its own internal business purposes. We may use logged information (whether anonymous or linked to you) for its own internal business purposes only, including without limitation to help diagnose problems with our servers and for system administration.

We may disclose your personally identifiable information in any of the following circumstances: (1) in response to a subpoena, search warrant, court order, or other legal process, or as may otherwise be required by applicable law or regulation; (2) to protect and defend our rights or property or those of our affiliates or others; or (3) as we, in its sole discretion, believe is appropriate under exigent circumstances in response to a perceived significant threat to the personal safety or property of any subscriber to the Service or any other person.

In addition, as our subscriber database is our business asset, in the event we are reorganized or is sold to or merged with another company, you consent to the sale, assignment, or transfer of your personally identifiable information to a purchaser of all or substantially all of our business assets, or to our subsidiary or affiliate, as appropriate.

Except as described above, we will not disclose, sell, rent, or otherwise provide your personally identifiable information to any third party without your consent.

How do we protect the security of the information you provide?

We take what we believe to be reasonable precautions and have implemented managerial and technical procedures to try to protect the security of your User Information. We strive to maintain the reliability, accuracy, completeness and currency of User Information provided by Service subscribers and to protect their privacy and security. Although we cannot guarantee against any loss, misuse, unauthorized disclosure, alteration or destruction of data, we try to prevent such unfortunate occurrences.

Do we use cookies?

"Cookies" are small pieces of information that are stored by your web browser on your computer's hard drive. We use cookies only to log "inbound links" to this website (e.g., through an online advertisement, through a link in a search engine result, through a link on a web page, etc.). We do not use cookies to capture any personally identifying information about you.

What's our relationship with other websites you can access through the Service?

This website, and newsgroup postings accessible through the Service, may contain links to other Internet websites, products, and/or services ("Third Party Services") which provide you with convenient access to publicly available information that you may find of interest. If you use a link to go from the Service to a Third Party Service, this Privacy Policy will no longer apply. Your use of a Third Party Service will be subject to the rules and policies of that Third Party Service, and you are encouraged to read over those rules and policies. Your use of Third Party Services is at your own risk.

How You Can Access Or Correct Your Information

You can access all your personally identifiable information that we collect online and maintain by logging into the Members Area and visiting the account administration page. If you wish to change other details of your account, such as your username or factual

errors, please submit a support request. To protect your privacy and security, we will also take reasonable steps to verify your identity before granting access or making corrections.

What other information should you know about your privacy?

The Children's Online Privacy Protection Act ("COPPA") prohibits certain commercial practices related to gathering, storing, and disclosing personal information about children under the age of 13 who use the Internet. We will not knowingly or intentionally collect personal information about children under the age of 13 without prior parental consent. We cannot prohibit minors from using the Service if they supply a valid username and password issued to another person (e.g., a parent or friend). We must rely on parents, guardians and those responsible for supervision of children to monitor the Internet activities of children under the age of 13. Each time you submit personally identifiable information about yourself or your family through the Service, you are representing to us that you are 18 years of age or older.

All electronic communication services such as ours are required to comply with the "mandatory reporting" requirements of 42 U.S.C. § 13032(b), which requires such services to report any apparent child pornography to the National Center for Missing and Exploited Children. In the event we are required to make a report, it will include all information regarding the apparent child pornography it believes may be of importance. We will strictly comply with this reporting requirement.

BBB Online Privacy Program

Your privacy is important to us. By participating in the Council of Better Business Bureau's BBBOnline Privacy Program we have made a commitment to meet the program's strict requirements regarding how we treat your information and have it verified by BBBOnline. Further information about this program is available at www.bbbonline.org

All BBBOnline Privacy Program participants are required to work with the program's dispute resolution process. The Privacy Program will only accept complaints regarding the misuse of personally identifiable information by a website operator. For more information about the Privacy Program dispute resolution process visit www.bbbonline.org/privacy/dr.asp

How can you contact us with questions on this privacy policy?

If you have any questions about this Privacy Policy, please e-mail us at privacy@usenet.com.

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EXHIBIT Q

Welcome to Usenet.com! Are you new to usenet?



usenet.com

Usenet.com Code of Conduct



Usenet.com Code of Conduct.

As a member of Usenet.com's online service (the "Service") you agree to uphold this Code of Conduct, and are liable for your activities and content you publish. Usenet membership is limited to individuals 18 years of age (21 where required) or older.

Prohibited Uses

Violations of this Code of Conduct, our [Terms of Use](#), or our [Copyright Policy](#) may result in the termination of membership privileges and access to Usenet.com's service or deletion of content without notice.

As a member of Usenet.com, you may not participate in prohibited activities, which include but are not limited to:

- a. Use of the Service in violation of any applicable local, state, national or international law, regulation, rule or ordinance;
- b. Use of the Service in violation of generally accepted principles of Usenet etiquette and/or community standards;
- c. Uploading, posting, disseminating, using, or otherwise making available through the Service any content that is unlawful, illegal, harmful, threatening, abusive, harassing, tortious, defamatory, vulgar, obscene, libelous, invasive of another's privacy, subject to any restrictions on disclosure, or Content that could otherwise be considered to be objectionable;
- d. Uploading, downloading, posting, disseminating, using, accessing, or otherwise making available any content involving child pornography;
- e. Impersonating or using the identity of another person or organization, or falsely stating or otherwise misrepresenting your affiliation with a person or organization;
- f. Engaging in any activities or manipulating identifying material to misrepresent the origin or nature of any content;
- g. Uploading, posting, using, or otherwise making available any materials, items, information or content that infringes or otherwise violates the copyright, trademark, or other proprietary rights of any third party;
- h. Uploading, posting, using or otherwise making available any unsolicited or unauthorized advertising or promotional materials, including without limitation, "junk mail," "spam," "chain letters," "pyramid schemes," or any other form of solicitation;
- i. Attempting to "flood" a newsgroup with posts;

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MEMBERS LOGIN

Username

Password

Submit

- j. Harassing or annoying, threatening or provoking confrontation with, or causing to fear for his or her personal safety any other user of the Service, any Usenet user, or any third party;
- k. Uploading or posting content to a newsgroup that does not belong in that newsgroup or is otherwise "off-topic" for that newsgroup;
- l. Uploading, posting, using or otherwise making available any content that contains software viruses or any other corrupt computer code, files or programs that impair the use of any computer software or hardware or telecommunications equipment;
- m. Interfering with or otherwise limiting the use of the Service by other users;
- n. Collecting, compiling, storing, uploading, posting, using or otherwise making available, personal information about other users of the Service and/or any other third party;
- o. Using the Service for commercial purposes, including but not limited to feeding a news server or news caching server;
- p. Providing inaccurate or fraudulent personal or billing information to Usenet.com in connection with your use of the Service; or
- q. Attempting to bypass any security and/or access features or functionality of the Service.

Termination and Cancellation Usenet.com at its sole discretion, reserves the right to review and remove any user-published content at will, without notice and to terminate the membership of participants that are deemed objectionable.

Rights and Responsibilities We strongly discourage our members from publishing information or content that others could use to harm you or the Service. Usenet.com is not responsible for the content published or activities its members partake in. The decision to publish, view, or engage all content is yours and we advise you to use your best judgement.

Usenet.com reserves the right to amend or change this Code of Conduct at any time without notice, and encourage you to regularly review these guidelines to ensure utmost compliance.

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EXHIBIT R

Welcome to Usenet.com! Are you new to usenet?



usenet.com

Copyright Policy



Usenet.com Copyright Policy.

Usenet.com does not control the newsgroups on Usenet. We do not post content in the newsgroups or create their names. Each newsgroup and each post that are created are the sole responsibility of those who created them. We do not control what people post to the Usenet newsgroups. Our servers are classified as a "transitory network." A newsgroup name in and of itself does not mean that what is posted to that group corresponds to the name of the newsgroup.

Usenet.com's terms and conditions prohibit the posting, distribution, or reproduction in any way any copyrighted material, trademarks, or other proprietary information without obtaining the prior written consent of the owner of such proprietary rights. It is the policy of Usenet.com, and Usenet.com reserves the right, to remove or disable access to infringing material, to notify the relevant Member that it has removed or disabled access to the material, and to terminate Membership privileges of any Member who infringes copyright, upon the verified submission of an assertion of infringement by a copyright holder or their authorized representative.

Without limiting the foregoing, if you believe that your work has been copied in a way that constitutes copyright infringement, or that your intellectual property rights have been otherwise violated, please provide Usenet.com's copyright agent with the following information:

- a. an electronic or physical signature of the person authorized to act on behalf of the owner of the copyright or other intellectual property interest that is allegedly infringed;
- b. an identification of the copyrighted work or other intellectual property interest that you claim has been infringed (e.g. "My copyrighted work entitled ABC has been infringed");
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- e. a statement by you that you have a good faith belief that the claimed infringement is not authorized by the copyright (or intellectual property) owner, its agent, or the law;
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